REMARKS

In the Office action of February 21, 2008, there was an objection to the drawings as not showing the movement of the stop 15 as claimed in claims 12 and 13. Upon review of the specification, it is noted that only a stationary stop 15 is disclosed. Therefore, claim 12 has been cancelled without prejudice, and claim 13 has been amended to depend form claim 1.

Claim 1 has been amended to recite these features of the invention:

> 1) wherein the transfer device (4) has receptacles (5), each of which accommodates an individual product (1) between a pair of sidewalls (6),
>
> 2) wherein the sidewalls (6) are carried by a conveyor (7) at an acute angle and travel over an idler (10) that spreads the sidewalls (6) further apart to receive one of the products (1) in each of the receptacles (5), and
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> 3) wherein the idler (10) is positioned intermediate two opposite ends of the conveyor (7) to divide the conveyor (7) into two sections with a slight bend around the idler (10) so as to close together the sidewalls (6) shortly after one of the products (1) has been inserted in one of the receptacles.

Support for the features 1) and 2) is found at page 7, first full paragraph of the specification, which provides:

> Turn now to Fig. 1, where the products 1 are supplied along the direction indicated by the arrow 3. The device proposed by the invention contains a transfer device 4 that has individual receptacles 5. Every receptacle 5 is formed by a pair of sidewalls 6.

> Every sidewall 6 forms the partition separating a pair of adjacent receptacles 5, i.e., belongs to both receptacles 5. The sidewalls 6 forming the receptacles 5 are rigidly attached to a circulating conveyor 7, for example, a chain. The chain passes over a pair of idler sprockets 8, at least one of which is driven by a drive. The free run 9 of that chain appearing on the left in Fig. 1 is straight, while the free run appearing on the right is routed over an idler sprocket 10 that is offset outward from a straight line tangent to the pair of idler sprockets 8, dividing the conveyor into two sections oriented at an included angle of slightly less than 180° with respect to one another. The orientation of the sidewalls 6 will change at that bend, or deflection point. The location where individual products 1 are inserted into the receptacles 5 is situated in the immediate vicinity of the idler sprocket 10, where the sidewall 6 that has just passed the idler sprocket 10 is no longer parallel to the next sidewall 6 that follows it. At that location, the sidewalls involved are oriented at an acute included angle with respect to one another. (Our emphasis.)

Further support for features 2) and 3) is found at page 3, second full paragraph, second sentence of the specification, which provides:

> In particular, according to the invention, it may be provided that the receptacles change their shape, for example, spread apart and subsequently draw together, ahead of and/or following the location where products are accepted, which will ease insertion of products. Simultaneously, that drawing together subsequent to acceptance of a product will allow faster decelerations of products, in some cases, by forces acting on both sides thereof. (Our emphasis.)

Further support for feature 3) is provided by original claim 7, which provided:

> 7. A stacker according to claim 6, wherein the included angle between the pair of sidewalls (6) of a receptacle (5) is increased prior to a product (1) being accommodated in that receptacle (5) and/or the included angle between its pair of sidewalls (6) is decreased after a product (1) has been accommodated in the receptacle (5). (Our emphasis.)

The invention provides a deceleration of the products at the insertion point to prevent deformation of the products as discussed at page 2, fourth and fifth paragraphs as follows:

> The transfer device accepts individual products consecutively supplied to it. That acceptance might occur some distance ahead of the serializing device, in which case, the transfer device will transfer products to the serializing device, where they will be reoriented with their flat sides parallel and facing one another. While in that parallel orientation, products may be arranged in the compartments of the row of compartments. If there is a gap between the location where products are accepted and the transfer device, a certain stretch, within which products may be decelerated, will be available.
>
> It is therefore proposed that, in elaborating on the invention, the transfer device be configured such that it will decelerate products along their long axes, from their transport rate to a standstill, between the location where they are accepted and the location where they are transferred to the serializing device. That gradual deceleration will reduce, or eliminate, hazards that individual products might be deformed, in particular, be crumpled. (Our emphasis.)

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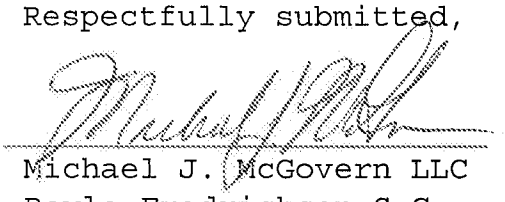
It can be seen that in Hunter, the insertion of products occurs around one end of the conveyor in Fig. 1 and Figs. 3-11. Thus, the compartments are opened further for a

longer period of time and a deceleration of the products is not possible. Although Fig. 12 shows an idler, it does not provide an insertion point for products in the vicinity of the idler as in the present invention.

CONCLUSION

In view of the amendment and remarks, reconsideration of the application is respectfully requested. After the amendment, claim 12 has been cancelled and claims 1-11 and claims 13-18 remain pending and a Notice of Allowance for these claims is respectfully requested.

Respectfully submitted,

By: 

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